

### REMARKS

This is in response to the Notice of Non-Compliant Amendment mailed May 20, 2008.

The Notice indicates that a complete listing of all the claims was not submitted with the Response filed February 14, 2008, including the text of all pending claims. The Notice also indicates that each claim was not provided with the proper status identifier.

Applicants submit that this Notice was issued in error. Applicants did not amend the claims in the Response filed February 14, 2008. Applicants are not required to submit a claim listing in an amendment paper if no claims are being amended. 37 C.F.R. § 1.121(c) (“ . . . Each amendment document that includes a change to an existing claim, cancellation of an existing claim or addition of a new claim, must include a complete listing of all claims . . .” (emphasis added)); *see also* MPEP § 714.II.A. (“The amendment papers should include . . . (C) . . . a complete listing of all claims ever presented in the application (if there are any amendments to the claims)” (emphasis added)).

However, solely to expedite prosecution, Applicants submit herewith a complete listing of all the claims, which are provided with the proper status identifiers in compliance with 37 C.F.R. § 1.121.

Respectfully submitted,

/Thomas Barry/

By \_\_\_\_\_

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